

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GE HEALTHCARE BIO-SCIENCES AB, GE  
HEALTHCARE BIO-SCIENCES  
CORPORATION, and GENERAL ELECTRIC  
COMPANY,

Plaintiffs,

v.

BIO-RAD LABORATORIES, INC.,

Defendant.

Civil Action No. 14-CV-7080 (LTS)

Hon. Laura Taylor Swain

**ORAL ARGUMENT REQUESTED**

**PLAINTIFFS' NOTICE OF MOTION AND MOTION  
FOR PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65 and 35 U.S.C. § 283, Plaintiffs GE Healthcare Bio-Sciences AB (“Bio-Sciences AB”), GE Healthcare Bio-Sciences Corporation (“Bio-Sciences Corp.”) and General Electric Company (“General Electric Co.”) (collectively, “GE” or “Plaintiffs”), hereby move this Court for a preliminary injunction against Bio-Rad Laboratories, Inc. (“Bio-Rad”), enjoining Bio-Rad from making, using, selling, offering for sale, or importing into the United States its Next Generation Chromatography (“NGC”) system or any other imitation thereof that likely infringes U.S. Patent No. 8,821,718 (the “718 patent”), entitled “Automated Fluid Handling System,” which was duly issued by the U.S. Patent and Trademark Office on September 2, 2014 to Johan Blomberg and Mats Lundkvist and assigned to Bio-Sciences AB.

GE is likely to succeed on the merits of the claims it asserted in its complaint, and will be irreparably harmed without an Order enjoining Bio-Rad. Further, the balance of hardship weighs in favor of Bio-Rad, and it is in the public interest to enjoin Bio-Rad, as requested.

In support of this Motion, GE submits herewith the accompanying Memorandum of Points and Authorities, the supporting declarations of Jennifer Sklenar, Nigel Darby, and Carl Scandella, Ph.D., and all other pleadings, relevant evidence of record, and argument as the Court shall permit.

Pursuant to Rule A(2)(b)(ii) of the Court's Individual Practices Rules, and as more fully detailed in the Declaration of Jennifer Sklenar in Support of Plaintiffs' Motion for Preliminary Injunction ("Sklenar Decl."), counsel for GE certifies that, on September 2, 2014, counsel for GE sent a letter via certified mail to John J. Cassingham, patent counsel for Bio-Rad, advising Bio-Rad: (i) that the '718 patent had issued; (ii) that GE had filed suit against Bio-Rad in this Court on September 2; and (iii) that the basis of GE's allegations was that Bio-Rad infringed the '718 patent by making, using, providing, offering to sell, and/or selling its NGC system. *See* Sklenar Decl. ¶ 16 & Ex. O. Counsel for GE requested that Bio-Rad immediately cease all manufacture, marketing and sales of the NGC system and agree to refrain from making, marketing, or selling the NGC system for the term of the '718 patent. *Id.* Counsel for GE requested a response by the close of business on September 8, 2014. *Id.* As of the filing of this Notice of Motion and Motion, counsel for GE had not received a response from Bio-Rad to its September 2 correspondence. *Id.* ¶ 16.

For these reasons, as well as those set forth more fully in the accompanying memorandum of law, GE asks that its Motion for a Preliminary Injunction be granted.

Dated: September 9, 2014

Respectfully submitted,

/s/ Matthew T. Salzmann

Matthew T. Salzmann  
ARNOLD & PORTER LLP  
399 Park Avenue  
New York, NY 10022-4690  
Telephone: +1 212 715 1000  
Facsimile: +1 212 715 1399  
matthew.salzmann@aporter.com

Of counsel:

Matthew Wolf  
ARNOLD & PORTER LLP  
555 Twelfth Street, N.W.  
Washington, DC 20004  
Telephone: +1 202 942 5000  
Facsimile: +1 202 942 599  
Matthew.Wolf@aporter.com

Jennifer Sklenar  
Ryan M. Nishimoto  
Kristen L. Johns  
ARNOLD & PORTER LLP  
777 South Figueroa Street, 44<sup>th</sup> Floor  
Los Angeles, California 90017-5844  
Telephone: + 1 213.243.4000  
Facsimile: +1 213.243.4199  
Jennifer.Sklenar@aporter.com  
Ryan.Nishimoto@aporter.com  
Kristen.Johns@aporter.com

Attorneys for Plaintiffs  
GE Healthcare Bio-Sciences AB  
GE Healthcare Bio-Sciences Corporation  
General Electric Company